

MEMO ENDORSED

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REVIEWED BY
KEVIN NATHANIEL FOX
U.S. MAGISTRATE JUDGE

To: CHAMBERS OF
Hon. Kevin Nathaniel Fox
U.S. Magistrate Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Date: August 21, 2008

From: BARRET CHANDLER 06A4122
Upstate Correctional Facility
P.O. Box 2001, 309 Blue Hill Road
McMurray, New York 13953

Re: CHANDLER v. City of New York, et al., 07-cv-10412 (PAC)(KNE)

Subj.: Request for an extension of time to
prepare and file answer-response to
the defendant's answering papers and
a request for a restraining order

Dear Hon. Magistrate Judge Fox,

Plaintiff would like to apologize
for the late request for an extension of
time to respond to the defendant's ans-

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writing papers. Plaintiff apologize both to the Court and the defendant no harm is intended.

Consequently, on or before September 30, 2008, plaintiff is respectfully and lawfully requesting that plaintiff pro se be allowed to file and file a late response, to the defendant's answer.

In addition further more plaintiff is further requesting lawfully and respectfully in all fairness and within due process that plaintiff be granted a restraining order preventing the defendant(s) and MTA from mist placing or destroying the inside 34th Street NYC 2 Penn Plaza Long Island Railway inside Pennsylvania train station near the escalators and exit way is 'Surveillance video tape footage' of February 17, 2005 depicting the plaintiff without any questions and provocation at the hands and feet of the defendant Leccano and Gallagher and the other fourentines NYC Police Dept. officers plaintiff did ~~sustained~~ several permanent pain and injuries about to his hands, wrists, and back on this day in question. The surveillance video tape footage herein depicted above aforementioned above is the plaintiff's primary evidence in chief is needed by plai-

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ntiff to prove and substantiate plaintiff's claims(s) and allegation(s) first in Court and before the trial jury. If the surveillance video tape footages herein described gone down when needed come up all of the sudden missing or destroyed. Plaintiff will suffer again irreparable harm and prejudice.

Thanking before-hand Hon. magistrate Judge Kevin Nathaniel Fox for the permission and the restraining order herein requested. see, Affirmation of service dated 8/21/08 enclose herewith.

I declare under the

Respectfully Submitted,

Barret Chambers

penalty of perjury that Plaintiff pro se foregoing is true and correct. Upstate Correctional Facility signed this 21 day of August, 2008

P.O. Box 3001

Malone, New York 12953

8/28/08

Carbon Copy to:

Broadford C. Patrick
Assistant Corporation Counsel
100 Church Street

New York, New York 10007

The plaintiff has not shown good cause for his failure to act timely. Therefore, no request for an enlargement of time, is denied. To the extent the plaintiff seeks an order directing the MTA to act or refrain from acting the application is denied, because the MTA is not a party to the action.

SO ORDERED:

Kevin Nathaniel Fox, U.S.M.J.

I declare under the penalty of perjury that I am on this 21 day of August, 2008, I was delivering this (3) three page request to the upstate prison authorities to be delivered to Hon. Kevin Nathaniel Fox U.S. magistrate Judge Chambers Southern District NY

United States District Court
Southern District of New York
BARRET CHANDLER, :
pro se Plaintiff, : 07-cv-10412 (PAC)(KNE)
-against- :
City of New York, et al. : Affirmation of
Defendant. : service

I, BARRET CHANDLER, declare under the
penalty of perjury that I have served a
carbon copy of the enclosed (3) three page requi-
est letter for an extension of time and a
restraining order of plaintiff addressed to the
Court dated August 21, 2008, upon Bradford C.
Patrick, whose address is: the City of New York
Law Dept- 100 church street, NY, NY 10007
by placing the same serving papers in the
hand of the Upstate Prison authorities to
be mailed through the upstate prisoners free legal
mail system.

Dated: August 21, 2008

Malone, New York

Plaintiff pro se
Upstate C.E.
P.O. Box 3001
Malone, NY 12953

cc: filed